HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 7493 of 2007

DATED: 12-04-2007

Between:

K.Veeraswamy Reddy

…Petitioner

and

Government of Andhra Pradesh, rep. by its
Principal Secretary, Land Acquisition Department,
Hyderabad and others

…Respondents.

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 7493 of 2007

ORAL ORDER:

The petitioner claims to be the owner of an extent of Ac.0-77 cents in Sy.No.387/1, Tandlam Village, Renigunta Mandal, Tirupati Division, Chittoor District. This land was proposed for acquisition under the provisions of the Land Acquisition Act, 1894 (for short 'the Act') for the purpose of laying a 150' feet approach road from Nayudupeta-Poothalapattu State Highway No. 69. In the notification under Section 4 (1) of the Act, the name of the petitioner is not reflected in respect of this land. He therefore had no opportunity to lodge his objections nor was issued a notice under Section 5-A of the Act soliciting his objections. By a Gazette publication dated 21-3-2007, a draft declaration under Section 6 (1) of the Act has been published, whereat the name of the petitioner is reflected in respect of Sy.No. 387/1A. The petitioner thus complains that he has been denied of a valuable opportunity of lodging his objections to the acquisition process.

In the aforesaid circumstances, the draft declaration under Section 6(1) of the Act published in the A.P. Gazette No. 41 of 2007 dated 21-3-2007 is quashed in so far as an extent of Ac.0-77 cents in Sy.No.387/1A of Tandlam Village, Renigunta Mandal, Chittoor District is concerned. The respondents are directed to issue notice to the petitioner soliciting his objections to the acquisition process. If the petitioner lodges his objections within the time stipulated in the notice (which shall be fair and reasonable) the said objections shall be

considered by the competent authority and the decision thereon shall be communicated to the petitioner under registered post with acknowledgment due. Till then, the petitioner shall not be dispossessed nor further proceedings for acquisition of the proposed land be pursued.

The writ petition is disposed of as above. There shall be no order as to costs.

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GODA RAGHURAM, J

12-04-2007
GRR